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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,596	10/17/2003	Pedro Torres	P&TS-36202	2098
116 7590 10/02/2008 PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108				
EXAMINER TRINH, THANH TRUC				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/688,596

Applicant(s)

TORRES ET AL.

Examiner

THANH-TRUC TRINH

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/2/2008 has been entered.

Remarks

2. The amendment filed on 9/2/2008 does not place the application in condition for allowance
3. Claims 1-11 and 13-24 are pending in this application.

Claim Objections

4. Claim 17 is objected to because of the following informalities:

Claim 17 recites the limitation "non-conducting sealing material" in line 16. This should be changed to "non-conducting sealing material."

.Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. Claims 1-11 and 13-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 1, 17, 21 and 24 recite the limitation "a non-conductive sealing material being positioned within the blind hole" in lines 12-14 of claim 1, lines 16-17 of claim 17, lines 14-15 of claim 21, and lines 12-13 of claim 24. There is no support for this limitation in the originally filed disclosure. In addition, claims 17 and 21 also recite the limitation "a non-conducting sealing material being positioned within the blind hole for sealing said blind hole, and insulating said conductor from said sides" in lines 16-18 of claim 17, and "said sealing material prevents said conductor from electrically contacting the lateral sides of the blind hole" in lines 18-19 of claim 21. There is no support for these limitations in the originally filed disclosure. Instead the disclosure describes that "[s]ealing material 6 is preferably injected into each blind hole for preventing infiltration of water or dust from the internal side of the product. A junction box (not illustrated) may further be mounted over each blind hole for providing an easier mutual connection between products mounted on a same wall or roof" in the last paragraph of page 8. There is nothing about sealing material being non-conducting or sealing material insulating the conductor from the sides or preventing the conductor from electrically contacting the lateral sides of the blind hole.

Claims 1, 17 and 24 recite the limitation "conductive weld material" in line 23 of claim 1, lines 11-12 of claim 17, and line 22 of claim 24. There is no support for this limitation in the originally filed disclosure.

Dependent claims 2-11, 13-16, 18-20 and 22-23 are rejected because they depend on the independent claims 1, 17 and 21.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 13 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 depends on claim 1 and recites the limitation "said electric conductor is electrically connected with said contact portion via a weld" in lines 2-3, while claim 1 recites the limitation "said blind hole has lateral sides being even and a bottom having an uneven surface at said contact portion with said electric conductor being connected to said uneven surface using a conducting weld material" in lines 20. It is unclear whether the "weld" as recited in claim 13 is the same or different structure as the "conducting weld material" in claim 1.

Claim 17 recites the limitation "said weld" in line 20. There is insufficient antecedent basis for this limitation in the claim.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
8. Claims 1-4, 9-11 and 13 -15 and are rejected under 35 U.S.C. 103(a) as being unpatentable over Shuto et al. (US Patent 6471816) in view of Sasaoka et al. (US Patent 6294724)

Regarding claim 1, as seen in Figures 1-6, Shuto et al discloses a sealed electric power generating product including a base plate (combination of substrate 10, adhesive 27 and protective film 25); a power generating film laminated (21) over the base plate; at least one contact portion (22) for contacting at least one pole (20a or 20c) of the power generating film; an electric conductor (lead wire 30) is solder attached to the back side of the contact portion (or metal foil 22 - See Figure 6, col. 6 lines 39-43); a sealing material (solder material) positioned within a blind hole (28 as seen in Figure 6) between the internal side of the base plate (10) and the contact portion (22). The blind hole is a hole perforated through the base plate after the lamination of the power

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generating film over the base plate. The blind hole has lateral sides being even. (See Figures 1-6, col. 3 lines 44-67, col. 4 lines 1-68, col. 5 lines 1-42). Shuto et al. also teaches the metal foil 22 can be cut slightly into (See col. 5 lines 8-10), thereby giving the metal foil 22 (or the contact portion) an even surface.

The difference between Shuto et al. and the instant claim is that Shuto et al. does not teach a non-conductive material positioned within the blind hole, wherein the electric conductor (lead wire 30) is provided through the sealing material to the contact portion; or the electric conductor being connected to the uneven surface using a conducting weld material.

Sasaoka et al. teaches a non-conductive material (bushing 45 composed of silicon rubber) positioned within a hole 47, wherein the electric conductor (lead wire 10) is provided through the sealing material (busing 45) to the contact portion (or take-out electrode 46) as seen in Figure 6C (See Example 1). Sasaoka et al. also teaches welding an electric conductor (lead wire 10) to a take-out electrode 46 (e.g. contact portion) using conducting material such as copper tab (See col. 14 lines 19-28, or col. 24 lines 53057)

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the product of Shuto et al. by having the conductor (wire 30) going through the blind hole (28) and non-conducting sealing material and connected to the uneven bottom of the hole by a conducting weld material as taught by Sasaoka et al. because Sasaoka et al. teaches that the non-conducting sealing material (e.g. bushing) is used for improving the waterproof property in a portion where the lead

wire (or conductor) is extracted from the solar cell (See col. 18 lines 1-13) and a weld is an easy and secure way to attain the electrical connection (See col. 14 lines 19-23)

Regarding claim 2, Shuto et al. describes the contact portion (or metal foil 22) is provided on the upper side of the generating film 21 opposite the base plate, and the blind hole 28 traverses the base plate and the generating film. (See Figures 5b and 6)

Regarding claims 3 and 4, Shuto et al describes that the metal foils 22 are positioned above output terminals 20a and 20c, then attached under pressure and heat to electrically connect. (See col. 4 lines 12-21). Conductive paste output terminals are typically made of binding materials, such as polyimide or phenol based binders, and powder metals such as nickel, silver or aluminum (See col. 7 lines 24-26). Additionally, conductive paste output terminals run substantially the full length and on the right and left sides of the solar cells 11a, 11b, 11c. In other words, the metallic bands of a combination of output terminals and metal foils run substantially full length and on opposite sides of the power generating film. (See Fig. 1a, 2a, 3a, 4a, 5a). At least a lead wire 30 is solder attached to the metal foil 22 through the hole 28 on one side of the power generating film; therefore in combination with Sasaoka et al., it would have been obvious that at least two lead wires (or electric conductors) go through two blind holes for connecting each metallic band. (See Fig. 5a-6 and col. 5 lines 40-43).

Regarding claim 9, Shuto et al discloses a power generating film 21 comprising a plurality of solar battery elements 11a, 11b, 11c. (See Fig. 2a and col. 3 lines 50-52, col. 3 lines 65-66 and col. 4 lines 1-4). In each element, there is at least one silicon layer.

These silicon layers are on top of other flexible films such as transparent conductive layer, and on the substrate 10 that is made of polyimide.

Regarding claim 10, Shuto et al teaches that transparent protective films 24 and 25 encapsulate over the solar module 1 (or photovoltaic cell) on the front and back, respectively. (See col. 4 lines 38-42). The encapsulation layers are made of organic materials such as ethylene terephthalate (PET) or fluoroplastics. (See col. 4 lines 42-43).

Regarding claim 11, as seen in Figure 6C, Sasaoka et al. teaches that the sealing material (or bushing 45) is also for sealing the hole 47 (also see col. 18 lines 1-16)

Regarding claim 13, Shuto et al. describes the electric conductor (30) is electrically connected with the contact portion via a weld (or solder). (See Figure 6 and col. 5 lines 40-43). Sasaoka et al. also teaches the electric conductor (or lead wire 10) is electrically connected with the contact portion (or take-out electrode 46) via a weld or solder (See col. 13 line 29 through col. 14 line 32)

Regarding claim 15, Shuto et al. describe the contact portions (or metal foils 22) are cover with solder platings. (See col. 4 lines 19-23). The solder platings are inherently made of metal. Therefore, the contact portions are locally reinforced with a supplementary layer of metal.

9. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shuto et al in view Sasaoka et al. and further in view of Nagao et al (US Patent No.6670541).

Regarding claims 5-8, Shuto et al in view of Sasaoka et al. teaches solar cell modules as described in claim 1.

Shuto et al. in view of Sasaoka et al. does not specifically teach the base plate is rigid, nor do they teach that the plate comprises one insulator between two layers of metal. Shuto et al. in view of Sasaoka et al. also does not teach that the base plate is specifically suitable for covering external building walls.

Nagao et al teach the plate (or back cover) is rigid, possibly made of metal or formed by sandwiching a film between metal layers such as aluminum foils. (See col. 5 lines 53-55). In addition, the plate is suitable for covering external building walls. (See col. 1 lines 7-8, and Fig. 11, 13A-D, 14).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the module of Shuto et al. in view of Sasaoka et al. by applying a rigid base plate comprising an insulator layer between two layers of metal as taught by Nagao et al, because it would provide a superior and effective photovoltaic back over in protecting, reinforcing and preventing hazards from environment. (See Nagao et al, col. 5 lines 49-61).

10. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shuto et al in view Sasaoka et al. and further in view of W.R. Walker (US Patent 1971924)

Shuto et al. in view of Sasaoka et al. teach a sealed electric power generating product as described in claim 1.

Shuto et al. in view of Sasaoka et al. does not teach the bottom a said blind hole is a conical shape.

W.R. Walker teaches different ways to weld or solder attach an electric conductor (or leads 5, 23 or 33) to a contact portion (the base of cup electrodes 2, 22 or 32) through a hole as seen in Figures 1-6, and through a sealing material as seen in Figure 6, wherein the bottom of the blind hole (or the base of electrode cup 2 or 12) can have protrusion 4 in a form of conical shape as seen in Figure 3, or taped socket 13 to receiving lead 5 (or wire) as seen in Figure 4 as different ways to facilitate the welding of lead 5.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the product of Shuto et al. in view of Sasaoka et al. by having the uneven surface of the bottom of the blind hole to be any form (such as conical shape) to facilitate the welding of lead (or wire) to the contact portion, since W.R. Walker teaches different shapes can be used to facilitate the welding.

11. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shuto et al. in view of Sasaoka et al. and further in view of Mimura et al. (US Patent 6182403).

Regarding claim 16, Shuto et al. in view of Sasaoka et al. teaches a sealed electric power generating product as described in claim 1 with a plurality of blind holes.

Shuto et al. in view of Sasaoka et al. does not specifically teach using a plurality of junction boxes, wherein each one of the junction boxes is mounted over a corresponding one of the blind holes.

Mimura et al. et al. teach using a plurality of junction boxes 405, wherein each one of the junction boxes is mounted over a corresponding hole 406 with output lead 407. (See Figure 4 and col. 9 lines 45-54)

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the product of Shuto et al. in view of Sasaoka et al. Walker by using a plurality of junctions boxes with each mounted over a corresponding blind hole as taught by Mimura et al., because it would provide cover for the blind hole and housing terminal for drawing power out of the product. (See col. 9 lines 45-54 of Mimura et al.)

12. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shuto et al. (US Patent 6471816) in view of Sasaoka et al. and W. R. Walker (US Patent 1971924)

Regarding claim 17, as seen in Figures 1-6, Shuto et al. describe a sealed electric power generating product including a base plate (combination of substrate 10, adhesive 27 and protective film 25); a power generating film (21) laminated over the base plate; at least one contact portion (22) for contacting at least one pole (20a or 20c) of the power generating film; an electric conductor (lead wire 30), wherein the electric conductor (30) is electrically connected with the contact portion by solder material and a blind hole (28) has substantially even sides; a sealing material (solder material as seen in Figure 6) applied at an outer side of the base plate for sealing the blind hole.

The difference between Shuto et al. and the instant claim is that Shuto et al. does not specifically teach the electric conductor (lead wire 30) going through the blind hole, or through the non-conducting sealing material and connected to the bottom of conical shape of the hole by using a conductive weld material.

Sasaoka et al. teaches a non-conductive material (bushing 45 composed of silicon rubber) positioned within a hole 47, wherein the electric conductor (lead wire 10) is provided through the sealing material (bushing 45) to the contact portion (or take-out electrode 46) as seen in Figure 6C (See Example 1). Sasaoka et al. also teaches welding an electric conductor (lead wire 10) to a take-out electrode 46 (e.g. contact portion) using conducting material such as copper tab (See col. 14 lines 19-28, or col. 24 lines 53057).

W.R. Walker teaches different ways to weld or solder attach an electric conductor (or leads 5, 23 or 33) to a contact portion (the base of cup electrodes 2, 22 or 32) through a hole as seen in Figures 1-6, and through a sealing material (or fusible metal 34) as seen in Figure 6. W. R. Walker also teaches the bottom of the blind hole (or the base of electrode cup 2 or 12) can have protrusion 4 in a form of conical shape as seen in Figure 3, or tapped socket 13 to receiving the wire (or lead 5) as seen in Figure 4 as different ways to facilitate the welding of lead 5. (See page 2 lines 76-103).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the product of Shuto et al. by having the electric conductor (wire 30) going through the blind hole (28) and non-conductive sealing material and connected to the uneven bottom of the hole by a conducting weld material

as taught by Sasaoka et al., wherein the bottom of the blind hole having a conical shape as taught by W. R. Walker; because Sasaoka et al. teaches that the non-conducting sealing material (e.g. bushing) is used for improving the waterproof property and welding using conducting material is easy and secure way to attain the electrical connection (See col. 14 lines 19-23 and col. 18 lines 1-13 of Sasaoka et al.), and W. R. Walker teaches that having conical shape at the bottom of a blind hole for electrical connection would be one of several different ways to have the electric lead (or wire) to make contact with the electrode (or contact portion). (See Figures 1-6 and page 2 line 76 through page 3 line 85). It would also have been obvious to one skilled in the art that the uneven surface of the bottom of the blind hole can have any form (i.e. conical shape) to facilitate the welding of lead (or wire) to the contact portion, since W. R. Walker teaches different shapes can be used to facilitate the welding.

Regarding claims 18, Shuto et al disclose a power generating film 21 comprising a plurality of solar battery elements 11a, 11b, 11c. (See Fig. 2a and col. 3 lines 50-52, col. 3 lines 65-66 and col. 4 lines 1-4). In each element, there is at least one silicon layer. These silicon layers are on top of other flexible films such as transparent conductive layer, and on the substrate 10 that is made of polyimide.

Regarding claim 19, Shuto et al. disclose a transparent encapsulation layer 24 over the power generating film. The encapsulation layer is made of an organic material. (See Figure 4b, 5b, 6 and col. 4 lines 38-55).

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13. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shuto et al. in view of Sasaoka et al. and W.R. Walker, and further in view of Mimura et al. (US Patent 6182403).

Regarding claim 20, Shuto et al. in view of and Sasaoka et al. and W. R. Walker teaches a sealed electric power generating product as described in claim 17, wherein the product comprises a plurality of blind holes (See Figures 1-6).

Shuto et al. in view of Sasaoka et al. and W.R. Walker does not specifically teach using a plurality of junction boxes, wherein each junction box is mounted over a corresponding blind hole.

Mimura et al. et al. teach using a plurality of junction boxes 405, wherein each one of the junction boxes is mounted over a corresponding hole 406 with output lead 407. (See Figure 4 and col. 9 lines 45-54)

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the product of Shuto et al. in view of Sasaoka et al. and W.R. Walker by using a plurality of junctions boxes with each mounted over a corresponding blind hole as taught by Mimura et al., because it would provide cover for the blind hole and housing terminal for drawing power out of the product. (See col. 9 lines 45-54 of Mimura et al.)

14. Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shuto et al. (US Patent 6471816) in view of Sasaoka et al. (US Patent 6294724)

As seen in Figures 1-6, Shuto et al. describe a sealed electric power generating product including a base plate (combination of substrate 10, adhesive 27 and protective film 25); a power generating film (21) laminated over the base plate; at least one contact portion (22) for contacting at least one pole (20a or 20c) of the power generating film; an electric conductor (lead wire 30), wherein the electric conductor (30) is electrically connected with the contact portion by solder material and a blind hole (28) has substantially even sides and the contact portion (22) at the bottom of the blind hole (28); a sealing material (solder material as seen in Figure 6) applied at an outer side of the base plate for sealing the blind hole.

The difference between Shuto et al. and the instant claim is that Shuto et al. does not teach a non-conductive material positioned within the blind hole, wherein the electric conductor (lead wire 30) is provided through the sealing material to the contact portion; or the electric conductor being connected to the uneven surface using a conducting weld material.

Sasaoka et al. teaches a non-conductive material (bushing 45 composed of silicon rubber) positioned within a hole 47, wherein the electric conductor (lead wire 10) is provided through the sealing material (busing 45) to the contact portion (or take-out electrode 46) as seen in Figure 6C (See Example 1). Sasaoka et al. also teaches welding an electric conductor (lead wire 10) to a take-out electrode 46 (e.g. contact portion) using conducting material such as copper tab (See col. 14 lines 19-28, or col. 24 lines 53057)

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the product of Shuto et al. by having the conductor (wire 30) going through the blind hole (28) and non-conducting sealing material and connected to the uneven bottom of the hole by a conducting weld material as taught by Sasaoka et al. because Sasaoka et al. teaches that the non-conducting sealing material (e.g. bushing) is used for improving the waterproof property in a portion where the lead wire (or conductor) is extracted from the solar cell (See col. 18 lines 1-13) and a weld is an easy and secure way to attain the electrical connection (See col. 14 lines 19-23)

15. Claims 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shuto et al. (US Patent 6471816) in view of Sasaoka et al. (US Patent 6294724), and further in view of Nagao et al (US Patent No.6670541).

As seen in Figures 1-6, Shuto et al discloses a sealed electric power generating product including a base plate (combination of substrate 10, adhesive 27 and protective film 25); a power generating film laminated (21) over the base plate; at least one contact portion (22) for contacting at least one pole (20a or 20c) of the power generating film; an electric conductor (lead wire 30) is solder attached to the back side of the contact portion (or metal foil 22 - See Figure 6, col. 6 lines 39-43); a sealing material (solder material) positioned within a blind hole (28 as seen in Figure 6) between the internal side of the base plate (10) and the contact portion (22). The blind hole is a hole perforated through the base plate after the lamination of the power generating film over the base plate. The blind hole has lateral sides being even. (See Figures 1-6, col. 3

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lines 44-67, col. 4 lines 1-68, col. 5 lines 1-42). Shuto et al. also teach the metal foil 22 can be cut slightly into (See col. 5 lines 8-10), thereby giving the metal foil 22 (or the contact portion) an even surface.

Shuto et al. does not teach a non-conductive sealing material positioned within the blind hole, wherein the electric conductor (lead wire 30) is provided through the non-conductive sealing material to the contact portion and connected to the contact portion using a conducting weld material; nor do they teach using a rigid plate as the base plate.

Sasaoka et al. teaches a non-conductive material (bushing 45 composed of silicon rubber) positioned within a hole 47, wherein the electric conductor (lead wire 10) is provided through the sealing material (busing 45) to the contact portion (or take-out electrode 46) as seen in Figure 6C (See Example 1). Sasaoka et al. also teaches welding an electric conductor (lead wire 10) to a take-out electrode 46 (e.g. contact portion) using conducting material such as copper tab (See col. 14 lines 19-28, or col. 24 lines 53057)

Nagao et al teach the plate (or back cover) is rigid, possibly made of metal (See col. 5 lines 53-55).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the product of Shuto et al. by having the conductor (wire 30) going through the blind hole (28) and non-conducting sealing material and connected to the uneven bottom of the hole by a conducting weld material as taught by Sasaoka et al. and using a rigid base plate as taught by Nagao et al.; because Sasaoka

et al. teaches that the non-conducting sealing material (e.g. bushing) is used for improving the waterproof property in a portion where the lead wire (or conductor) is extracted from the solar cell (See col. 18 lines 1-13) and a weld is an easy and secure way to attain the electrical connection (See col. 14 lines 19-23), and because Nagao teaches that the rigid base plate would provide a superior and effective photovoltaic back over in protecting, reinforcing and preventing hazards from environment. (See Nagao et al, col. 5 lines 49-61).

Response to Arguments

Applicant's arguments with respect to claim 9/2/2008 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THANH-TRUC TRINH whose telephone number is (571)272-6594. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nam X Nguyen/
Supervisory Patent Examiner, Art Unit 1753

TT
09/20/2008